

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO, *ex rel.*

State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

Case No.: 6:69-cv-07941-KWR-KK

RIO CHAMA STREAM SYSTEM  
Section 7: Rio Brazos

Subfile Nos.: CHRB-002-0001  
CHRB-002-0002

**ORDER CORRECTING CLERICAL ERROR AFFECTING  
CHAVEZ CREEK DITCHES NO. 1 AND NO. 2 IN  
SECTION 7 RIO BRAZOS OF THE RIO CHAMA STREAM SYSTEM**

**THIS MATTER** comes before the Court on Plaintiff State of New Mexico, *ex rel.* State Engineer's ("State") *Opposed Motion to Correct Clerical Error Affecting Chavez Creek Ditches No. 1 and No. 2 in Section 7 Rio Brazos of the Rio Chama Stream System* (Docket No. 11620, filed November 21, 2022). The State requests that the Court enter an order correcting the X and Y coordinates for the points of diversion in Subfile Nos.: CHRB-002-0001 and CHRB-002-0002, the two subfiles associated with Chavez Creek Ditch No. 1 and Chavez Creek Ditch No. 2. The State considers the Motion as opposed because the "State attempted to contact the water rights owners for Subfile No. CHRB-002-0002 regarding this motion but was unsuccessful." The water rights owners for Subfile No. CHRB-002-0001 do not oppose the Motion. The Court, being fully advised, and with no responses opposing the State's motion having been filed, finds that the State's motion is well-taken and should be granted.

**IT IS ORDERED** that Plaintiff State of New Mexico, *ex rel.* State Engineer's *Opposed Motion to Correct Clerical Error Affecting Chavez Creek Ditches No. 1 and No. 2 in Section 7*

*Rio Brazos of the Rio Chama Stream System* (Docket No. 11620, filed November 21, 2022) is  
**GRANTED.**

**IT IS FURTHER ORDERED** that the point of diversion for Chavez Creek Ditch No. 1 in Subfile Nos.: CHRB-002-0001 and CHRB-002-0002 is amended as described below.

**Point of Diversion:**

**Ditch:** CHAVEZ CREEK DITCH NO. 1

Location X: 1,568,855 feet      Location Y: 2,093,836

**IT IS FURTHER ORDERED** that the point of diversion for Chavez Creek Ditch No. 2 in Subfile No. CHRB-002-0001 is amended as described below.

**Point of Diversion:**

**Ditch:** CHAVEZ CREEK DITCH NO. 2

Location X: 1,569,231 feet      Location Y: 2,095,199

**IT IS ALSO ORDERED** that the Clerk of the Court shall mail a copy of this order to the water rights owners at the following addresses:

Garcia Revocable Trust  
C/O Joseph O. Garcia  
P.O. Box 90398

Mundy Ranch, Inc.  
C/O Susan Jane M. Mundy  
P.O. Box 1087  
Chama, NM 87520

**IT IS SO ORDERED.**



KEA W. RIGGS  
UNITED STATES DISTRICT JUDG